

# Ninety-First Regular Session

WEDNESDAY, January 7, 1993

The chief clerk makes the following entries under the above date.

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Senator Feingold

December 11, 1992

To the Honorable the Senate:

Effective on my being sworn in as a member of the United States Senate, which will be on Tuesday, January 5, 1993 at 12:00 Noon, eastern standard time, I hereby resign the office of Wisconsin State Senator.

Sincerely,  
Russ Feingold  
Senator 27th District

State of Wisconsin  
Senator Barrett

December 11, 1992

To the Honorable the Senate:

Effective on my being sworn in as a member of the United States House of Representatives, which will be on Tuesday, January 5, 1993 at 12:00 Noon, eastern standard time, I hereby resign the office of Wisconsin State Senator.

Sincerely,  
Thomas M. Barrett  
Senator 5th District

State of Wisconsin  
Department of Public Instruction

December 21, 1992

To the Honorable the Legislature:

The department is pleased to submit the 1992 Annual Report on the Status of Bilingual-Bicultural Education programs, as required under section 115.996 of Wisconsin's Statutes.

The report provide a review of the state's administration and funding of bilingual education in Wisconsin and highlight factors contributing to program expansion and lower reimbursement rates. The number of pupils served from minority language groups, the locations of the state funded programs during the regular school year and summer school programs, and staff related data are included in the report to assist those with responsibilities for ensuring the continued success of bilingual education programs in Wisconsin. I am confident that you will find the report both informational and useful.

If you should have any questions on any aspect of this report, please contact William J. Erpenbach, Director, Bureau for Educational Equity Programs, 267-1072. He will be happy to discuss these with you at your convenience.

Sincerely,  
Herbert J. Grover  
State Superintendent  
State of Wisconsin

Department of Public Instruction

December 21, 1992

To the Honorable the Legislature:

In a letter of June 19, 1992, to you, I indicated that I would provide a listing and description to the legislature of alternative methods of complying with the school district standards that have been proposed by school boards relating to alternative compliance with the educational standards contained in ss. 121.02(1). Section 9145(8k)(b) of 1991 Act 39 required such a submission earlier, but because we had no history of requests we asked for the extension of the time until this date.

We have not had any formal requests. There have been at least two requests that did not follow the procedures in the administrative rule that asked for a waiver of the required number of school days. The districts wanted fewer instructional days to provide additional time for staff development. Since these requests were for a waiver and not in the nature of alternative compliance, the requests never were formalized.

If you have questions or need additional information, please contact Lori Slauson, Administrative Rules Coordinator, at (608) 266-9127.

Sincerely,  
Herbert J. Grover  
State Superintendent

State of Wisconsin  
Department of Natural Resources

December 23, 1992

To the Honorable the Legislature:

The 1991 Senate Bill 483 provided funds for the City of Portage and the Department of Natural Resources to complete studies on the Portage Canal and Fort Winnebago. The studies were to be completed by December 31, 1992. I am writing to inform you tht the consultant hired to complete these studies has informed us that these studies will not be completed until January 31, 1993.

The bill provided the City of Portage with \$60,000 for planning costs for a project to re-open the Portage Canal. The Department was provided with \$20,000 to contract for study on how re-opening the Portage Canal and reconstructing Fort Winnebago would impact on the local economy and tourism. Economics Research Associates (ERA) was contracted to complete both studies.

ERA has made good progress, but one of the difficult issues the consultant has faced is the residents of Portage have very divergent visions for the Portage Canal. One group wants to see it filled in, the other wants a complete

restoration. ERA has worked with residents, the Chamber of Commerce and community leaders to get agreement on the alternatives to be studied. These include the two views mentioned earlier, but also an alternative to improve the canal for canoe traffic, and provide interpretive facilities to enhance tourism. Now that the alternatives have been agreed to, ERA is completing an economic analysis of each alternatives. Once this is completed, ERA will hold a workshop in Portage to get final input into the studies.

While I feel it is unfortunate the studies will be late, I am hopeful these studies will finally give direction to the future of the Portage Canal. If you should have any questions about these studies, please feel free to contact Doug Fendry at (608) 267-2764.

Sincerely,  
C. D. Besadny  
Secretary

State of Wisconsin  
Department of Transportation

December 29, 1992

To the Honorable the Legislature:

Enclosed is the Department of Transportation report on the feasibility of linking convictions for intoxicated ATV, boating and snowmobile use with the Department's computer system that records violations of motor vehicle drunk driving laws. This feasibility study was required by 1991 Wisconsin Act 277, Section 63, sub (1). It was conducted in consultation with the Department of Natural Resources, Bureau of Law Enforcement.

The recommendations are as follows:

If the purpose of the reporting linkage is simply to provide a more sophisticated record-keeping system, then the cost and technical confusion involved in developing such a system outweigh the potential benefits and **no linkage should be pursued.**

If the purpose of the reporting linkage is to develop a more comprehensive tracking procedure to ensure that offenders comply with court-ordered alcohol and other drug use assessment, then because there are no sanctions on ATV, boat or snowmobile operating privileges for assessment non-compliance **no linkage should be pursued.**

If the purpose of the reporting linkage is to equate all recreational vehicle intoxicated operation violations with motor vehicle intoxicated operation violations for purposes of defining repeat offender status, then a number of policy and procedural questions must be addressed that were considered beyond the scope of this feasibility study. Until those issues are explored in detail, **no linkage should be pursued.** (See Pages 6 and 7 of the report.)

I appreciate the cooperation of the Department of Natural Resources in conducting this study and look forward to their continued assistance if more detailed investigation is deemed necessary.

Sincerely,  
Charles H. Thompson  
Secretary

State of Wisconsin  
Legislative Audit Bureau

December 30, 1992

To the Honorable the Legislature:

We have audited the financial statements of the Wisconsin Educational Communications Board Radio and Television Networks for the year ended June 30, 1992 and have issued our reports on these statements, dated December 21, 1992.

This audit was requested by the Wisconsin Educational Communications board to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities and certification of these entities' non-federal revenue sources in determining future funding levels.

The audit reports include no major findings, conclusions, or recommendations and, in our judgment, are not likely to be of interest to most members of the Legislature.

Copies of the audit reports have been distributed to members of the Joint Audit Committee and those required by law to receive copies. If you are interested in receiving a copy of the audit reports, please contact our office and request report numbers 92-37 and 92-38.

Sincerely,  
Dale Cattinach  
State Auditor

State of Wisconsin  
Department of Health and Social Services

December 29, 1992

To the Honorable the Legislature:

Section 9125(2) of 1991 Wis. Act 313 requires that the Department of Health and Social Services submit to the Legislature a report on the possible uses, advantages, disadvantages, and costs of using different types of Electronic Benefit Transfer systems.

Enclosed with this letter is that report.

Sincerely,  
Gerald Whitburn  
Secretary

State of Wisconsin  
Department of Health and Social Services

December 30, 1992

To the Honorable the Legislature:

Section 28(2) of 1991 Wisconsin Act 275 requires the Department of Health and Social Services to report on the

development of Quality of Care Standards for child care providers and the use of federal Child Care and Development Block Grant funds to reimburse child care providers meeting those standards at a higher rate. This report is in response to the Act 275 requirement.

Act 275 created s. 46.98(4)(e), which requires the Department to establish Quality of Care Standards for child care providers that are higher than the standards used for licensure by the Department or certification by counties. The Quality of Care Standards must be based on the standards used by the National Association for the Education of Young Children to accredit day care centers for comparable standards established by the Department. The standards must address issues such as the turnover of child care provider staff and the training and benefits available to child care provider staff.

The quality of Care Standards were developed in 1992, with the help of a quality care work group and the State Day Care Advisory Committee. A copy of the standards is attached. In 1993, the standards will be promulgated as rules.

In 1992, the standards were used as goals for Quality Improvement Grants. Grants were awarded to 75 group day care centers and 46 family day care homes. A second Request for Proposals for Quality Improvement Grants will be issued in January of 1993.

Act 275 created s. 46.979(2)(c)3, which allocates Child Care and Development Grant funds to reimburse child care providers who serve low-income families receiving child care assistance at a higher rate than other child care providers. Alternatively, the funds may be used for a program of grants to assist child care providers meet the Quality of Care Standards. The statute gives the Department the authority to transfer funds not used for these purposes to the allocation under s. 46.979(2)(c)4 for grants to improve the quality of child care services in the state.

Federal approval has not been obtained to provide higher rates of reimbursement to child care providers who meet the high quality standards. The federal government denied our initial proposal for high quality rates, submitted with our Child Care and Development Block Grant Plan in August of 1991. However, federal regulations governing payment rates under the Child Care and Development Block Grant changed in 1992. We will resubmit a proposal for high quality rates in early 1993.

Act 275 allocated \$600,000 of Child Care and Development Block Grant funds in fiscal year 1991-92 and \$1,200,000 in fiscal year 1992-93 for reimbursement at higher rates or grants to meet the Quality of Care Standards. Since federal authority was not obtained to reimburse child care providers at higher rates, all of the fiscal year 1991-92 funds were distributed as grants to child care providers to meet the Quality of Care Standards. The Department plans to distribute all of the fiscal year 1992-93 funds as grants to providers as well. If federal approval is obtained to reimburse providers at higher rates, the use of Child Care and

Development Block Grant funds to provide reimbursement at higher rates would likely begin in fiscal year 1993-94.

No transfers of funds were made in fiscal year 1991-92 from allocation under section 46.979(2)(c)3 to the allocation under section 46.979(2)(c)4. No transfers are anticipated in fiscal year 1992-93.

Sincerely,  
Gerald Whitburn  
Secretary

State of Wisconsin

Board of Vocational, Technical, and Adult Education

December 30, 1992

To the Honorable the Legislature:

In compliance with s. 38.28(1)(b) and (c), Wis. Stats., attached is a report summarizing VTAE district reports to the Wisconsin Board of VTAE detailing the impacts of the elimination of interdistrict tuition in the VTAE System through 1989 Wisconsin Act 336. The report addresses all the data categories identified in statute. However, the report is a summary because the base data amounts to approximately 1,600 pages of computer printout material. Should your representatives or any members of the public wish to see the base data, it is available for review. We will, of course, duplicate any part or the whole base data upon request. In essence, the report shows that the elimination of interdistrict tuition has greatly expanded educational opportunities for hundreds of students, and has not had any reported negative impacts on VTAE districts as some speculated it might.

Sincerely,  
Dwight A. York  
Director

State of Wisconsin

Public Service Commission

January 4, 1993

To the Honorable the Legislature:

I am writing to advise you of the status of two Commission reports pursuant to s. 196.195(11), Stats., and nonstatutory Section 42, paragraph 2, of 1989 Wisconsin Act 344. These provisions are attached for your convenience.

An initial draft of a combined report has been prepared by Commission staff. However, before this report can be completed, reviewed and approved by the Commission, certain key policy issues had to be decided by the Commission in early to mid-December. There was simply insufficient time to finish drafting, reviewing, approving, reproducing, and distributing this report by the end of the month. Therefore, the Commission requests a 60-day extension by which to file this combined report.

This extension will allow our most recent decisions on toll competition, carrier access charges, lifeline rates for low income customers and fiber optic cable sizing to be

reflected in the report. Also, it will allow us to seek additional comments on the final report from interested parties before submission.

Thank you for your consideration.

Sincerely,  
Cheryl L. Parrino  
Chairman

---

**SENATE CLEARINGHOUSE ORDERS**

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

**Senate Clearinghouse Rule 92-18**

Relating to searching at the request of a person who was adopted for information about the adoption, disclosing that information to the person and disclosing medical and genetic information pertaining to an adopted person.

No action taken.

**Senate Clearinghouse Rule 92-124**

Relating to job classifications and certification fees for roofers working with asbestos-containing materials.

No action taken.

**Senate Clearinghouse Rule 92-98**

Relating to parole procedure.

No action taken.

**Senate Clearinghouse Rule 92-137**

Relating to rural counties participating in the Wisconsin breast cancer screening project.

No action taken.

**Senate Clearinghouse Rule 92-126**

Relating to the preparation, transportation and disposition of human corpses and stillbirths.

No action taken.

**Senate Clearinghouse Rule 92-60**

Relating to fiscal management procedures and standards for county administration of the community options program and home and community-based services provided under medical assistance program waivers.

No action taken.

**Senate Clearinghouse Rule 91-70**

Relating to cheese grading, packaging and labeling.  
No action taken.

**Senate Clearinghouse Rule 92-105**

Relating to use of the 'Something Special from Wisconsin' logo.

No action taken.

**Senate Clearinghouse Rule 91-114**

Relating to eligibility for medical assistance.  
No action taken.

**Senate Clearinghouse Rule 92-136**

Relating to home health, private duty nursing, respiratory care and personal care services provided to persons eligible to receive covered services under the medical assistance program.

No action taken.

**Senate Clearinghouse Rule 92-145**

Relating to health care provider claims for reimbursement, recordkeeping and administrative sanctions under the medical assistance program.

No action taken.

**Senate Clearinghouse Rule 92-110**

Relating to the intensive sanctions program.

No action taken.

Rodney C. Moen  
Chair

---

**MESSAGE FROM THE ASSEMBLY**

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has organized and is ready to proceed to the business of the 1993-1994 Assembly Session.

---

**MESSAGE FROM THE ASSEMBLY**

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

**Senate Joint Resolution 1**